

ORDINANCE NO. 1840-13

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF
MIDDLESEX, NEW JERSEY, CHAPTER 351,
SOLID WASTE, SECTION 351-29.1 LOCATION**

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

351-29.1 Location

All outdoor dumpsters located at or upon any property within the Borough used for any non-residential purposes or for multi-family residential purposes shall be suitably screened from view and set back from property lines as otherwise required under the Code of the Borough of Middlesex. Notwithstanding any other provision of this Code, any outdoor dumpster within the Borough that is not suitably screened from view and set back from property lines as required hereunder shall make application to the Zoning Officer of the Borough for approval of suitable screening only without requirement of obtaining Site Plan approval under § 420-12 hereunder. If approval is not granted by the Zoning Officer of the Borough for such suitable screening only, then such property owner shall make an application to the Planning or Zoning Board of the Borough as otherwise required by the Municipal Land Use Law of the State of New Jersey and this Code.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as provided by law.

ATTEST

Kathleen Anello, Municipal Clerk

Ronald S. Dobies, Mayor

INTRODUCED: July 9, 2013

DATE PUBLICATION
OF INTRODUCTION:

ADOPTED:

DATE OF PUBLICATION
OF ADOPTION: